IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl..No. 1541 of 2007()

C.R. NO. 5/2007 OF SREEKANDAPURAM EXCISE RANGE

PETITIONER/ACCUSED

PLANTHOTTATHIL BIJU, S/O. GOPALAN,
AGED 37 YEARS, AGRICULTURIST,
VAYATHUR AMSOM DESOM, TALIPARAMBA TALUK,
KANNUR DISTRICT.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS: COMPLAINANT/STATE

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1. THE EXCISE INSPECTOR,
SREEKANDAPURAM EXCISE RANGE.

2. STATE, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1541 of 2007

DATED: 14-3- 2007

O R D E R

Petitioner who is the accused in C.R. No. 5/2007 of Sreekandapuram Excise Range for an offence punishable under Sec. 8(2) of the Abkari Act for allegedly transporting 3.3 litres of Karnataka made arrack in 33 packets on 16-02-2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in three other cases involved in similar abkari offences.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer and then to have his application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 20-3-2007 and 22-3-2007 for the purpose of custodial interrogation. Thereafter, the petitioner shall be produced, on the same day, before the Magistrate concerned who shall consider and dispose of the application, if any, filed by the petitioner preferably on the same date on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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